THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.19147 OF 2006

DATED: 22nd December, 2006.

Between :

Teegireddi Subba Rao ... Petitioner

And

1. The Commissioner, Proh. & Excise,
Nampally, Hyderabad and others. Respondents

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.19147 OF 2006

ORDER :

This writ petition is filed seeking a declaration that the action of the respondents 1 to 4 in not taking action against the 5th respondent who is allegedly running a Bar and Restaurant illegally without obtaining any licence under the Statutory rules as arbitrary and illegal.

In response to the notice ordered, the Prohibition & Excise Inspector filed a counter-affidavit on behalf of the respondents 1 to 4 sating that the 5th respondent is holding a licence in Form-A4 and he is selling liquor in capsule bottles. The allegation that the 5th respondent is carrying on business contrary to the conditions of licence has been denied and it is stated that the Station House Officer, Rajahmundry (South) and Assistant Prohibition & Excise Superintendent, Rajahmundry E.S. Task Force has been regularly conducting raids in the area, but the 5th respondent was never found to be carrying on business in violation of Statutory Rules.

The 5th respondent also filed a separate counter-affidavit denying the allegations and stating that he has been carrying on business strictly in accordance with the terms and conditions of lease granted in his favour.

No Affidavit-in-Reply is filed by the petitioner and no other material is placed before this Court contradicting the version of the respondents.

In the circumstances, no further enquiry is necessary in this writ

petition.

Accordingly, recording the Statement of the respondents in their counter-affidavits, the Writ Petition is disposed of. No costs.

G. ROHINI, J.

Dt. 22-12-2006
gbs